

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO.: 3:01-CR-00519-02 (JAG)

DAVID RENATO NUNEZ-PEREZ

**MOTION NOTIFYING ADDITIONAL VIOLATIONS TO RELEASE
CONDITIONS AND REQUESTING AN ARREST WARRANT**

**TO THE HONORABLE JAY A. GARCIA-GREGORY
SENIOR UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO**

COMES NOW, Ricardo A. Carrillo-Lopez, United States Probation Officer of this Honorable Court, presenting an official report as to the conduct of Mr. David Renato Nunez-Perez. After requesting an appeal of his instant offense case and while the same in being reviewed by the Honorable Court, Mr. Nunez-Perez was released pending appeal on July 18, 2023.

On July 8, 2024, the Honorable Court was informed of Mr. Nunez-Perez's continued violations due to his alleged illicit use of controlled substances, mainly cocaine and fentanyl, requesting an arrest warrant and show cause hearing (Dkt. 182). Subsequently, the Honorable Court ordered Mr. Nunez-Perez to be released pending his final revocation hearing, which is set for September 10, 2024, with the additional condition

that he must submit to a 10-day detoxification program at Inicitiva Comunitaria Compromiso de Vida.

Since his release however, Mr. Nunez-Perez has violated the following conditions of his release:

MANDATORY CONDITION: THE DEFENDANT SHALL NOT ILLEGALLY POSSESS A CONTROLLED SUBSTANCE.

MANDATORY CONDITION: THE DEFENDANT SHALL REFRAIN FROM ANY UNLAWFUL USE OF A CONTROLLED SUBSTANCE. THE DEFENDANT SHALL SUBMIT TO ONE DRUG TEST WITHIN 15 DAYS OF RELEASE FROM IMPRISONMENT AND AT LEAST TWO PERIODIC DRUG TESTS THEREAFTER.

STANDARD CONDITION: THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR ANY PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN.

ADDITIONAL SUPERVISED RELEASE TERM: IF ANY DRUG TEST SAMPLES DETECT SUBSTANCE ABUSE, THE DEFENDANT SHALL PARTICIPATE IN A SUBSTANCE ABUSE TREATMENT PROGRAM ARRANGED AND APPROVED BY THE PROBATION OFFICER UNTIL DULY DISCHARGED BY AUTHORIZED

PROGRAM PERSONNEL WITH THE APPROVAL OF THE US PROBATION OFFICER.

On July 31, 2024, and after being duly discharged from Incitiva Comunitaria Compromiso de Vida on July 18, 2024, Mr. Nunez-Perez tested positive to cocaine and fentanyl. Upon questioning by the Probation Officer, Mr. Nunez-Perez denied having consumed said substances. In response, said urine sample was sent for confirmation at Alere Toxicology Services, Inc and the same was confirmed positive to cocaine and fentanyl.

On August 6, 2024, Mr. Nunez-Perez once again tested positive to cocaine and fentanyl and again denied the results when questioned by the Probation Officer. The urine sample was then sent for confirmation to Alere Toxicology Services, Inc. Confirmation results are still pending at this time. The Court will be duly informed of the same once they are received.

During his release pending final revocation and in response to Mr. Nunez-Perez's apparent substance abuse issue, he has been afforded substance abuse treatment at Clinica Medica Psicoterapeutica and mental health treatment at APS Clinics of Manati. However, Mr. Nunez-Perez apparently continues his illicit use of controlled substances for which the Probation Office for the District of Puerto Rico deems him a danger to himself and the community.

WHEREFORE, it is respectfully requested, unless ruled otherwise, that the Honorable Court take notice of the contents of this motion, issue an arrest warrant against Mr. David Renato Nunez-Perez.

In San Juan, Puerto Rico, this August 13, 2024.

Respectfully submitted,

LUIS O. ENCARNACION, CHIEF
U.S. PROBATION OFFICER

s/Ricardo A. Carrillo-Lopez
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that today, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties in this case.

In San Juan, Puerto Rico, this August 13, 2024.

s/Ricardo A. Carrillo-Lopez
Ricardo A. Carrillo-Lopez
U.S. Probation Officer